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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOHN A. RUSSO, an individual,
Plaintiff,
v.
NETWORK SOLUTIONS, INC., et al.,
Defendants.

No. C 07-3401 MMC

**ORDER DENYING WITHOUT
PREJUDICE DEFENDANT NETWORK
SOLUTIONS' REQUEST FOR
DISMISSAL**

The Court is in receipt of defendant Network Solutions, Inc.'s "Opposition to Plaintiff's Motion for Request of Entry of Default as to Network Solutions, Inc., and Request for Dismissal," filed December 14, 2007 and noticed for hearing on January 4, 2008. To the extent said defendant, by such filing, seeks dismissal of the complaint, defendant must file a separate and properly-noticed motion to dismiss. See Civil L.R. 7-1 (requiring requests for relief be presented by motion or stipulation); Civil L.R. 7-2(a) (providing motion must be noticed for hearing "not less than 35 days after service of the motion").

Accordingly, the request for dismissal is hereby DENIED without prejudice.

IT IS SO ORDERED.

Dated: January 3, 2008


MAXINE M. CHESNEY
United States District Judge